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FORM**

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Total Number of Pages in This Submission

Application Number

09/954,603

Filing Date

September 17, 2001

First Named Inventor

Eatough et al.

Art Unit

1764

Examiner Name

A. Neckel

Attorney Docket Number

3195-6715US

**ENCLOSURES (check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☒ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/  
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under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board  
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(please identify below):**Remarks**

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm

TraskBritt, P.C.

Signature

Printed Name

Laurence B. Bond

Date

October 11, 2006

Reg.  
No.

30,549

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Eatough et al.

**Serial No.:** 09/954,603

**Filed:** September 17, 2001

**For:** CLEAN PRODUCTION OF COKE

**Confirmation No.:** 8272

**Examiner:** A. Neckel

**Group Art Unit:** 1764

**Attorney Docket No.:** 3195-6715US

**NOTICE OF EXPRESS MAILING**

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**RESPONSE TO COMMUNICATION**

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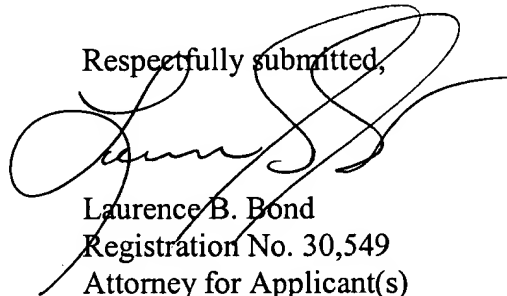
Sir:

Responsive to the Communication dated 11 September 2006, applicant provides the following response to the rejection of Claim 67 in the Office Action dated 21 June 2005.

Claims 67 stands rejected under 35 USC 103(a) over Loebell in view of Weber et al. (hereinafter "Weber"). Applicant respectfully traverses the instant rejection. Claim 67 is directed to a method of placing coke fines obtained as salvage from a prior production of coke into a pyrolyzer in association with a quantity of low grade coal fines. In essence, the instantly claimed method is directed toward a process of utilizing carbonaceous materials which are not traditionally employed for the production of coke. In contrast, Weber is directed to a method which utilizes "normal, washed, fine coal or fine coal mixtures with a grain size of 0 to 10 mm

and a swelling index of not more than 5 in the dry state.” (See col. 2, lines 10-13.) The instant claim are not restricted to the fine coal or fine coal mixtures having the characteristics noted by Weber. Instead, the instant claim is directed to a method which utilizes resource material which has been traditionally viewed as unusable for coke production. Loebell is directed to a method of making carbonized briquettes. Loebell does not appear to be directed toward a process adapted for producing a high quality coke from a mixture of non-traditional carbonaceous materials wherein segregating coke and by-products forms a central focus of the process. Applicant submits that a modification of Loebell in view of Weber would not result in a method which anticipates claim 67 in that the method of Weber is restricted to initial ingredients which do not include the low quality coal materials made subject to claim 67. In view of this consideration, applicant submits that claim 67 distinguishes over Loebell and Weber.

Respectfully submitted,



Laurence B. Bond  
Registration No. 30,549  
Attorney for Applicant(s)  
TRASKBRITT  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: 11 October 2006

LBB/ll

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